

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION**

JOSEPH EARL PURVEY, JR.,)	
)	
Plaintiff,)	
)	
v.)	No. 2:20-cv-00041
)	
ADVANCE SELF STORAGE LLC et al.,)	
)	
Defendants.)	

ORDER

On June 23, 2021, the Magistrate Judge issued an Amended Report and Recommendation (“R&R”) (Doc. No. 20) recommending that this case be dismissed pursuant to Federal Rule of Civil Procedure 4(m) because Plaintiff Joseph Earl Purvey, Jr. has not served any of the defendants named in the amended complaint. Purvey, proceeding pro se, has not filed any timely objections to the R&R, despite the R&R’s specific warnings regarding waiver. (See Doc. No. 20 at 6).

Having thoroughly reviewed the R&R, the Court agrees with the Magistrate Judge’s analysis and the following reasoning for her recommended disposition:

More than 300 days have passed since Purvey initiated this action, and more than 200 days have passed since the Court ordered Purvey to file an amended complaint and present summonses for each defendant named in the amended complaint to the Clerk of Court for signature and seal. (Doc. Nos. 1, 13.) To date, no defendant has been served or appeared in this action. The Court gave Purvey ample opportunity to present summonses for and effect service of process on the defendants named in Purvey’s amended complaint and issued a show-cause order providing him with an opportunity to explain why the Court should again extend the time for service rather than dismiss his claims. (Doc. No. 16.) Purvey’s untimely response to the Court’s show-cause order fails to demonstrate good cause for a further extension of the service deadline.


(Doc. No. 20 at 5). Although the Court acknowledges that Purvey is proceeding pro se, that does not excuse him from complying with the Federal Rules of Civil Procedure. See McNeil v. United States, 508 U.S. 106, 113 (1993) (noting that the Supreme Court has “never suggested that

procedural rules in ordinary civil litigation should be interpreted so as to excuse mistakes by those who proceed without counsel”).

Accordingly, the Magistrate Judge’s R&R (Doc. No. 20) is **APPROVED AND ADOPTED**, and this action is **DISMISSED WITHOUT PREJUDICE**.

This is a final order. The Clerk shall enter judgment in accordance with Federal Rule of Civil Procedure 58 and close the case.

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
CHIEF UNITED STATES DISTRICT JUDGE